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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/071,021	05/01/1998	RICHARD FRANK BRUNO	20-21-26-22-	5065

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S H DWORETSKY
AT&T CORPORATION
P O BOX 4110
MIDDLETOWN, NJ 07748

EXAMINER

TSEGAYE, SABA

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 06/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/071,021	BRUNO ET AL.	
	Examiner	Art Unit	
	Saba Tsegaye	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-15 and 17-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-15 and 17-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This Office Action is in response to the amendment filed 04/11/06. Claims 1-5, 7-15 and 17-26 are pending. Currently no claims are in condition for allowance.

Claim Rejections - 35 USC § 103

2. Claims 1, 2, 4, 5, 7-12, 14, 15 and 17-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sonesh et al. (US 6,614,783) in view of Jawahar et al. (US 6,256,620).

With regard to claims 1, 11, 14, 21, and 22, Sonesh discloses a method and system for connecting a call to one of a plurality of agents (120) in a call center (ACD 110), wherein the method comprises receiving a query from a plurality of telecommunications networks (figs. 1 and 2; 111, 112), regarding whether at least one agent is available, among the plurality of agents (120; column 2, lines 45-53), each telecommunications network being a disparate telecommunications network with respect to other telecommunications networks of the plurality of telecommunications networks the agent (120, 121 (within each telecommunications network)) being coupled within each disparate telecommunications network (113, 112; column 7, lines 1-20; see figs, 1 and 2); determining which available agent is to be connected based on the availability of the agent as well as a most idle agent criteria (column 5, lines 49-51; column 7, lines 17-51); responding to query with a connection information of a determined agent; and connecting the call to the determined agent (column 5, lines 51-55). However, Sonesh does not expressly disclose that the determined agent within the one telecommunications network the one telecommunications network being a circuit-switched network.

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Jawahar teaches that agent 32 establishes a connection with ACD 10 across PSTN. Further, Jawahar teaches that multiple agents 20 and 32 are coupled within each disparate telecommunications network (column 4, lines 1562; column 5, lines 6-55).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to add a system that determined agent within a circuit-switched network, such as that suggested by Jawahar, to the system of Sonesh in order to allow greater flexibility to use any type of system in which an agent or other representative is able to communicate with a customer or other individual or system.

With regard to claims 2 and 12, Sonesh discloses that an availability entry is updated for the agent to indicate that the agent is unavailable when the call is connected to the agent, and to indicate that the agent is available when the call terminates, the availability entry being updated with respect to each of disparate telecommunications networks (111, 112) (column 11, lines 6-10).

With regard to claim 4, Sonesh discloses that the step of determining an availability includes determining the availability of each agent and selecting an agent, wherein the step of responding to the query includes determining routing instructions for routing the call from the telecommunications network through which the query was received to the selected agent (column 5, lines 48-55; column 7, lines 25-29).

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Regarding claims 7 and 17, Sonesh discloses the method wherein at least one of the disparate telecommunications network is an NCP architecture network (see fig. 1).

Regarding claims 8 and 18, Sonesh discloses the method wherein the NCP architecture network is a circuit-switched telecommunications network (111, see fig. 1).

With regard to claims 9, 10, 19 and 20, Sonesh discloses the method wherein the NCP architecture network is an ATM network (column 5, lines 19-37).

With regard to claims 23-26, Sonesh disclose the method wherein the connection information is a routing telephone number (column 7, lines 63-65).

With regard claim 5 and 15, Sonesh discloses that routing algorithms, such as which caller will be routed to which agent or agents groups based on the *caller identify, agent skills, call priority, service and/or area interest and other relevant criteria*, are stored in and decided by the MMACD server. Alternatively the MMACD server may query external databases for *routing information*. If an agent is not available, the call is placed in and appropriate wait queue (the caller is notified of the current average queue wait time), based on caller priority, type of service and/or area selected, or access priority. Sonesh does not expressly disclose that the routing is based on one of a lowest cost criterion.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Sonesh in view of Jawahar so that the routing is based on a

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lowest cost criterion that has been common practice in the art as a means for selecting the most cost effective route for communication. Doing so would increase flexibility and provide more efficient communication system.

3. Claims 3 and 13 rejected under 35 U.S.C. 103(a) as being unpatentable over Sonesh et al. in view of Jawahar et al. as applied to claims 1 and 11 above, and further in view of Petrunka (US 5,987,116).

Sonesh in view of Jawahar discloses all the claim limitations as stated above, except for query uses SS7 singling for communicating with the telecommunications network from which the query was received. However, as known in the art, all phone systems need some form of signaling mechanism to set up and tear down calls. SS7 signaling is carried as out-band signaling which uses a separate data network.

Petrunka teaches that HLS 1110 includes a call identifier with a voice call sent through the PSTN using a standard CCS7 trunk to the local ACD switch (column 5, lines 56-59).

It would have been obvious to one of ordinary skill in the art at the time the invention was made modify the invention of Sonesh in view of Jawahar so that SS7 signaling is used, as thought by Petrunka, because SS7 signaling has been an effective, well-known method for allowing signaling to take place along a separate network from the information transfer, which would allow communication to proceed without interference between information and signaling.

Response to Arguments

4. Applicant's arguments with respect to claims 1-5, 7-15 and 17-26 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saba Tsegaye whose telephone number is (571) 272-3091. The examiner can normally be reached on Monday-Friday (7:30-5:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on (571) 272-7629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ST

June 12, 2006

A handwritten signature in black ink, appearing to read 'Doris H. To', with a stylized, flowing script.

**DORIS H. TO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600**